

UNITED STATES DISTRICT COURT
IN THE MIDDLE DISTRICT OF NORTH CAROLINA
Misc. Case No. 1:24-mc-00027

**IN RE MISSION HEALTH
ANTITRUST LITIGATION**

**W.D.N.C. Civil Action No.
1:22-cv-00114-MR-WCM**

**HCA DEFENDANTS' MOTION TO TRANSFER SUBPOENA-RELATED
MOTION**

NOW COME the Defendants HCA Healthcare, Inc.; HCA Management Services, L.P.; HCA, Inc.; MH Master Holdings, LLLP; MH Hospital Manager, LLC; and MH Mission Hospital, LLLP ("HCA Defendants" or "Defendants"), by and through counsel and, pursuant to Rule 45(f) of the Federal Rules of Civil Procedure, respectfully move the Court to transfer Defendants' Motion to Compel Production by Non-Party Charlotte-Mecklenburg Hospital Authority (ECF No. 1) to the Western District of North Carolina. In support of Defendants' Motion to Transfer, Defendants file concurrently herewith a Brief in Support of Defendants' Motion to Transfer Subpoena-Related Motion (the "Brief").¹ For the reasons

¹ Defendants acknowledge that, under Local Rule 7.3(j), a brief is not required for motions to which all parties to the action consent. However, the Court's decision to transfer a subpoena-related motion under Rule 45(f) is discretionary, even where the subpoenaed party consents. Fed. R. Civ. P. 45(f) ("...*may* transfer..."). For that reason, Defendants file concurrently herewith a brief in support of this Motion to Transfer.

stated in Defendants' Brief, Defendants' Motion to Compel should be transferred to the Western District of North Carolina.

WHEREFORE, Defendants respectfully request that the Court transfer Defendants' Motion to Compel to the U.S. District Court for the Western District of North Carolina to Chief District Court Judge Martin Reidinger for consideration and disposition.

This the 12th day of November, 2024.

/s/ Phillip T. Jackson

Phillip T. Jackson (N.C. Bar No. 21134)

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing ***Motion to Transfer*** was filed electronically using CM/ECF and was served, via electronic mail, upon counsel for non-party CMHA and all counsel of record in *In Re Mission Health Antitrust Litigation*, 1:22-cv-00114-MR-WCM as follows:

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This the 12th day of November, 2024.

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By: /s/ Phillip T. Jackson
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